IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

AS.No. 231 of 2000(B)

OS.1150/1992 of PRL.SUB COURT,THRISSUR
.....

APPELLANT IN A.S.-DEFENDANT NO.2 IN SUIT:

CHANDRAN, RESIDING IN WARD O.X,
KOORKANCHERRY PANCHAYAT,
THRISSUR DISTRICT.

BY ADV. SRI.S.V.BALAKRISHNA IYER
SRI.P.B.KRISHNAN

RESPONDENT NO.1 IN A.S.-PLAINTIFF IN SUIT:
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1. KUNHILA, D/O.PANTHALLOORKKARAN LONAPPAN,
KOORKKANCHERRY, THRISSUR DISTRICT.

RESPONDENTS 2 TO 9 IN AS.-ADDITIONAL DEFENDANTS 3 TO 10 IN SUIT:
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2. ASSIMABI, W/O.VM.I.RASHID,
CHUNNAMBUKARA STREET, VELLORE – 632 004,
TAMIL NADU.

3. RAFFICK, S/O...DO..IN ..DO...DO..

4. SANNIYA, S/O...DO....IN ...DO...DO....

5. SAKKILA, D/O...DO.....IN ...DO...DO....

6. MINOR SABINA, D/O...DO..., AGED 16, IN ...DO..

7. MINOR ABBU, S/O...DO.... AGED 14, IN ...DO....

8. MINOR INDHU, S/O...DO...AGED 12, IN ...DO....

9. MINOR BABA, S/O...DO.... AGED 10 IN ..DO....
(MINORS 6 TO 9 REPRESENTED BY THEIR MOTHER, RESPONDENT NO.2, ASSIMABI)

BY ADV. SRI.RAJIT for R1

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 27/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.2289/2000 AND I.A.NO.1078/2006
IN A.S.NO.231/2000

DISMISSED

27/09/2007 **SD/- M.SASIDHARAN NAMBIAR, JUDGE**

/TRUE COPY/

P.S.TO JUDGE

KSS

M.SASIDHARAN NAMBIAR,J.

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A.S. NO. 231 OF 2000

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Dated this the 27th day of September, 2007

JUDGMENT

The first appellant in S.A.318/2000 is the appellant in A.S.231/2000. Respondent in S.A.318/2000 is the first respondent in A.S.231/2000. O.S.1150/1992 was filed by first respondent seeking a decree for specific performance of the contract for sale. A decree was granted by the trial court. It is challenged in this appeal.

2. Learned counsel appearing for appellant submitted that first respondent in whose favour the decree was granted has settled the dispute involved in this appeal also and the compromise was recorded in S.A.318/2000 whereunder first respondent/plaintiff herein relinquished her right on receipt of a consideration of Rs.75,000/- acknowledged thereunder and in view of the said compromise, no relief is sought for in this appeal

and the appeal may be dismissed as settled. Recording the submission appeal is dismissed.

M.SASIDHARAN NAMBIAR
JUDGE

tpl/-

M.SASIDHARAN NAMBIAR, J.

W.P.(C).NO. /06

JUDGMENT

SEPTEMBER,2006